

REMARKS

Entry of the foregoing amendments and reconsideration and withdrawal of the final rejection and the allowance of all claims now pending in the above-identified patent application (*i.e.*, Claims 44-50, 70 and 71) are respectfully requested in view of the following remarks.

At the outset, Applicant wishes to thank the Examiner for his allowance of Claims 48-50 and 71, as well as his indicated allowance of the subject matter of Claims 44-47 and 70.

By the present amendments after final Action, Applicant has amended independent Claim 44 to remove the phrase “being able to,” which the Examiner held to be indefinite, and which formed the basis of the Examiner’s indefinite rejection of Claim 44, issued pursuant to 35 U.S.C. §112, second paragraph. Applicant respectfully contends that Claim 44, as herein amended, is sufficiently definite and places Claims 44-47 and 70 in condition for allowance.

Should the Examiner find the amended language of Claim 44 to be indefinite, the Examiner is cordially invited to telephone the undersigned for the purpose of agreeing upon amended claim language.

Claims 51-69, which were copied from, or otherwise based upon, the claims patented in Lombardi, U.S. Patent No. 7,365,258 B1, issued April 29, 2008, have been canceled from the instant patent application and have been filed by Applicant on this date

in Continuation Patent Application Serial No. 12/614,790 for the purpose of provoking an interference with the conflicting claims of the issued patent.

All claims now pending in the instant patent application (*i.e.*, Claims 44-50, 70 and 71) are submitted to now be in condition for allowance on the basis of the Examiner's indicated allowability, or allowance, of such claims. Entry of the instant claim amendments after final rejection is therefore submitted to be appropriate and consistent with 37 C.F.R. §1.116.

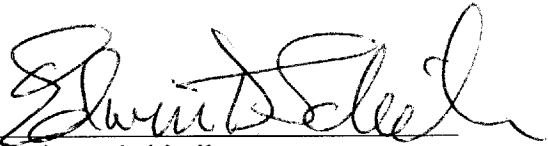
As requested by the Examiner (and in view of the cancelation of Claims 51-69 from the instant patent application), Applicant has deleted the wording objected to by the Examiner that appeared in the "claims" section of the prior *Amendment*.

In view of the foregoing, it is respectfully contended that all claims now pending in the above-identified patent application (*i.e.*, Claims 44-50, 70 and 71) recite a novel drum, which is patentably distinguishable over the prior art. Accordingly, entry of the

foregoing amendments, withdrawal of the final rejection and the allowance of all claims now pending are respectfully requested and earnestly solicited.

Respectfully submitted,

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- Enc.: 1. Petition for One-Month Extension of Time for Response; and,
2. EFT for \$65.00 (One-Month Extension Fee).

The Commissioner for Patents is hereby authorized to charge the Deposit Account of Applicant's Attorney (Account No. 19-0450) for any fees or costs pertaining to the prosecution of the above-identified patent application, but which have not otherwise been provided for.